

IUSD ELECTORAL PROCESS UNDER CONSIDERATION



IRVINE UNIFIED SCHOOL DISTRICT

March 27, 2018



No Impact on School Attendance Areas

- The election method for the members of the IUSD Board of Education has no impact on school or district student attendance boundaries.
- School attendance boundaries will not change as part of this consideration or process.



Types of Election Systems

At-Large Elections

Candidates must reside within the District's boundaries and are elected by all the voters who reside in the District's boundaries. (Ed Code Section 5030(a).)

By-Trustee Area Elections

Candidates must reside in specific "Trustee Areas" within the District's boundaries and are elected only by voters who reside in the same Trustee Area. (Ed Code Section 5030(b).)



California Voting Rights Act of 2001

- The California Legislature enacted the California Voting Rights Act (CVRA) of 2001. This legislation makes all at-large election systems in California for cities, school districts, and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority-minority area can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove that actual racial injury exists. The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems in California.
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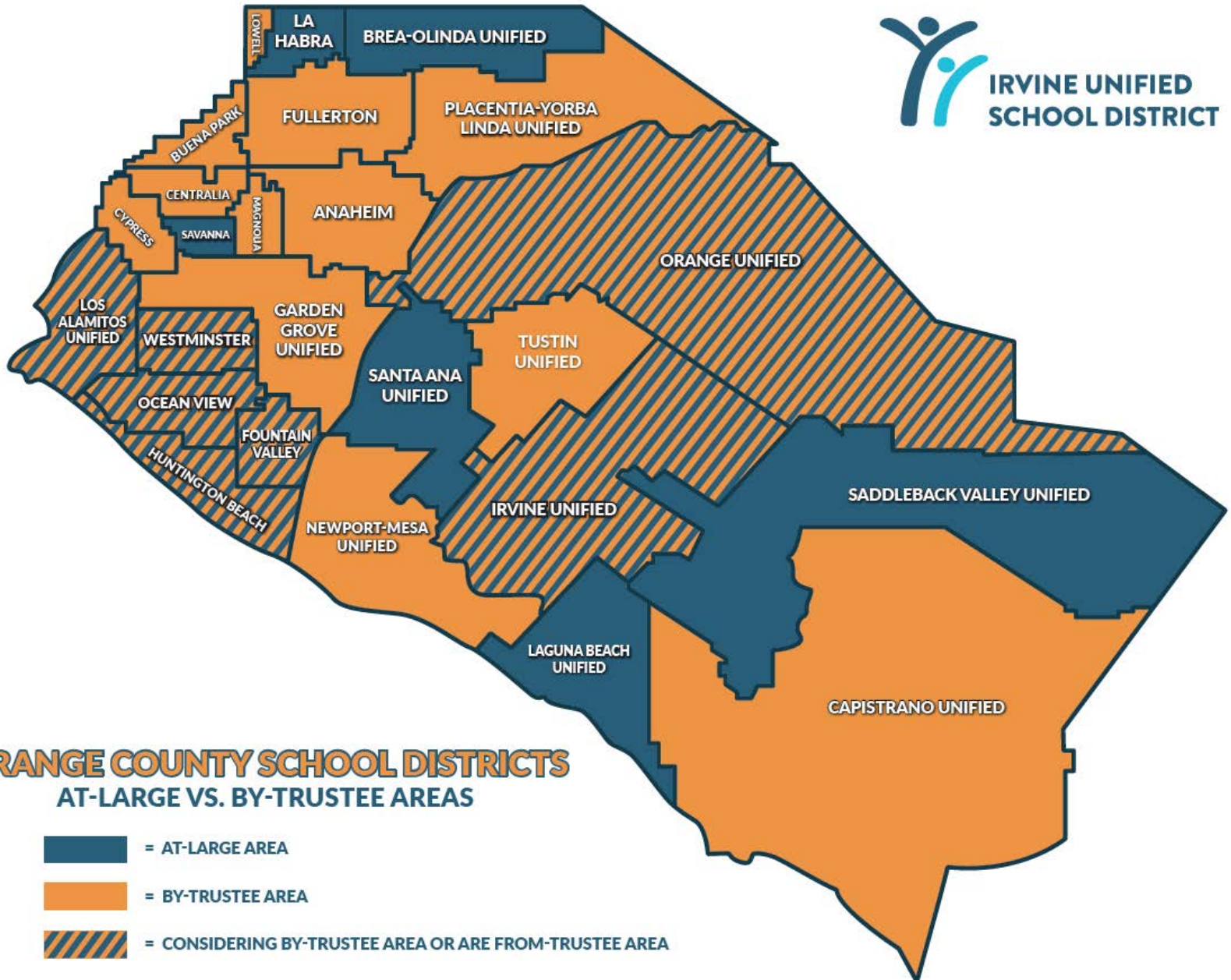
What Constitutes a Violation of the CVRA?

- Elections Code section 14028(a): A violation [of the CVRA] is established if it is shown that racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision.
 - Elections Code section 14028(c): The fact that members of a protected class are **not geographically compact or concentrated** may not preclude a finding of racially polarized voting, or a violation [of the CVRA] and this section, but may be a factor in determining an appropriate remedy.
 - Elections Code section 14028(d): **Proof of an intent** on the part of the voters or elected officials to discriminate against a protected class is **not** required.
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California Voting Rights Act of 2001

- Elections Code Section 14027 Provides:
 - An at-large method of election may not be imposed or applied in a manner that:
 - Impairs the ability of a protected class to elect candidates of its choice or
 - Its ability to influence the outcome of an election,
 - As a result of the dilution or the abridgment of the rights of voters who are members of a protected class.



ORANGE COUNTY SCHOOL DISTRICTS AT-LARGE VS. BY-TRUSTEE AREAS

-  = AT-LARGE AREA
-  = BY-TRUSTEE AREA
-  = CONSIDERING BY-TRUSTEE AREA OR ARE FROM-TRUSTEE AREA



Consideration of Transitioning From At-Large to By-Trustee Area Elections

- The Process:
 - Prior to preparing trustee area maps, the District will hold two public hearings and other community information events to gather community input on the composition of proposed trustee area maps.
 - After consideration of the input provided by the community, The Board will determine the criteria to be used by a demographer in drawing maps of proposed trustee areas.



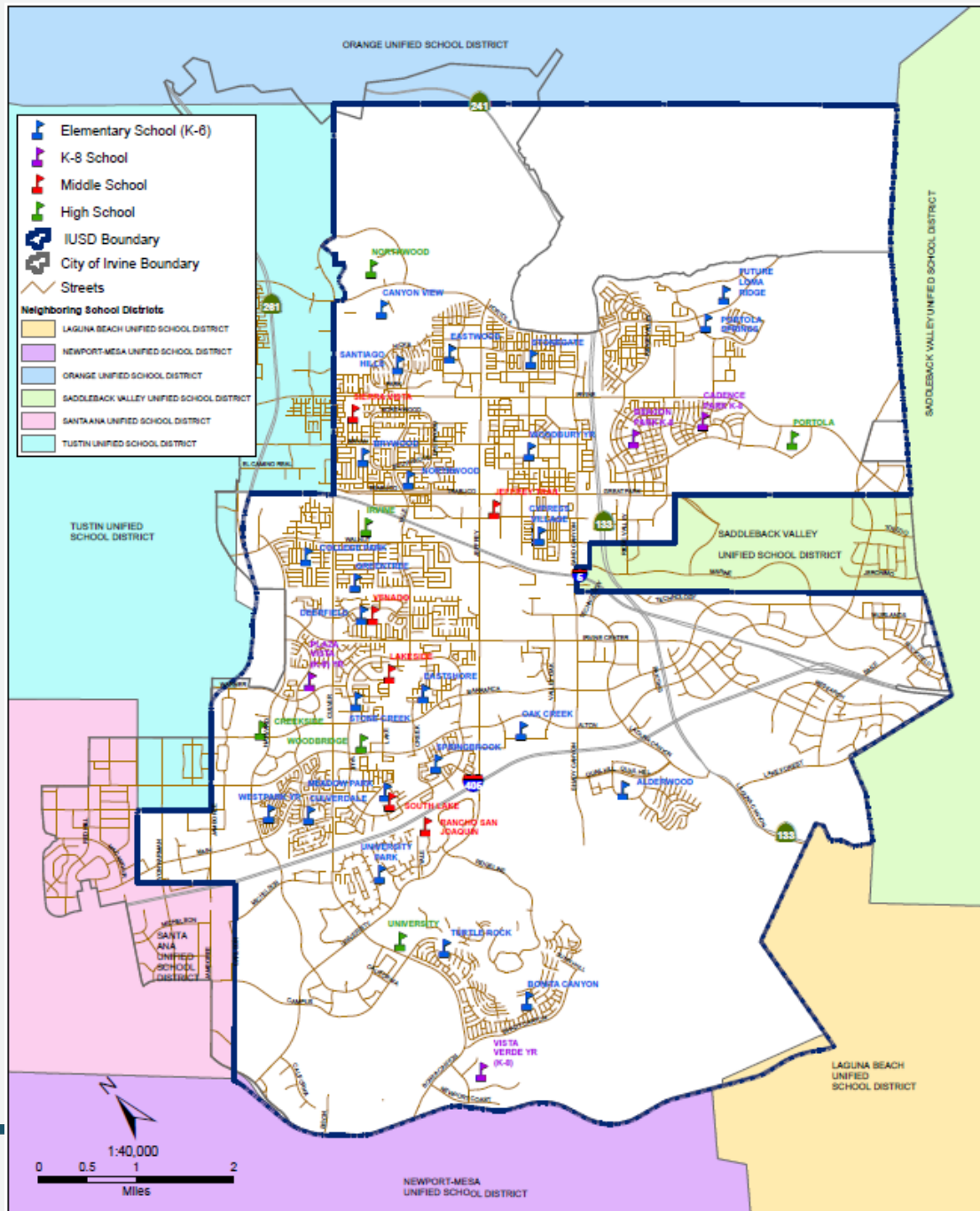
Consideration of Transitioning From At-Large to By-Trustee Area Elections

- Creation of Trustee Areas:
A number of criteria will be used to develop maps.
Common criteria include:
 1. Constitutional “one person, one vote”
 2. Communities of interest
 3. Natural and man-made boundaries
 4. Federal Voting Rights Act Compliance
 - Citizen Voting Age Population
 - “Packing” and “Cracking”
 5. Respecting Incumbency



Consideration of Transitioning From At-Large to By-Trustee Area Elections

- Creation of Trustee Areas:
A number of criteria will be used to develop maps.
Common criteria include:
 6. Compact size
 7. Contiguity
 8. School attendance boundaries
 9. City boundaries
 10. Anticipated population changes
 11. Other Factors
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Consideration of Transitioning From At-Large to By-Trustee Area Elections

- The Process:
 - The District will publish at least one proposed trustee area map for consideration by the community.
 - The District will publish the potential sequence of the elections to show how staggered terms will impact individual trustee areas.
 - The District will hold two additional public hearings to gather community input on proposed map(s) and election sequencing.
 - If revisions to any proposed map are made, the District will publish the revised proposed map for at least seven days prior to consideration of adopting a map.



Consideration of Transitioning From At-Large to By-Trustee Area Elections

- The Process:
 - The District will hold a public hearing, then seek Board approval of a map and sequence of elections.
 - The County Committee on School District Organization must hold at least one public hearing within the District's boundaries.
 - Following the public hearing, the County Committee on School District Organization must by resolution either approve or reject the proposal.

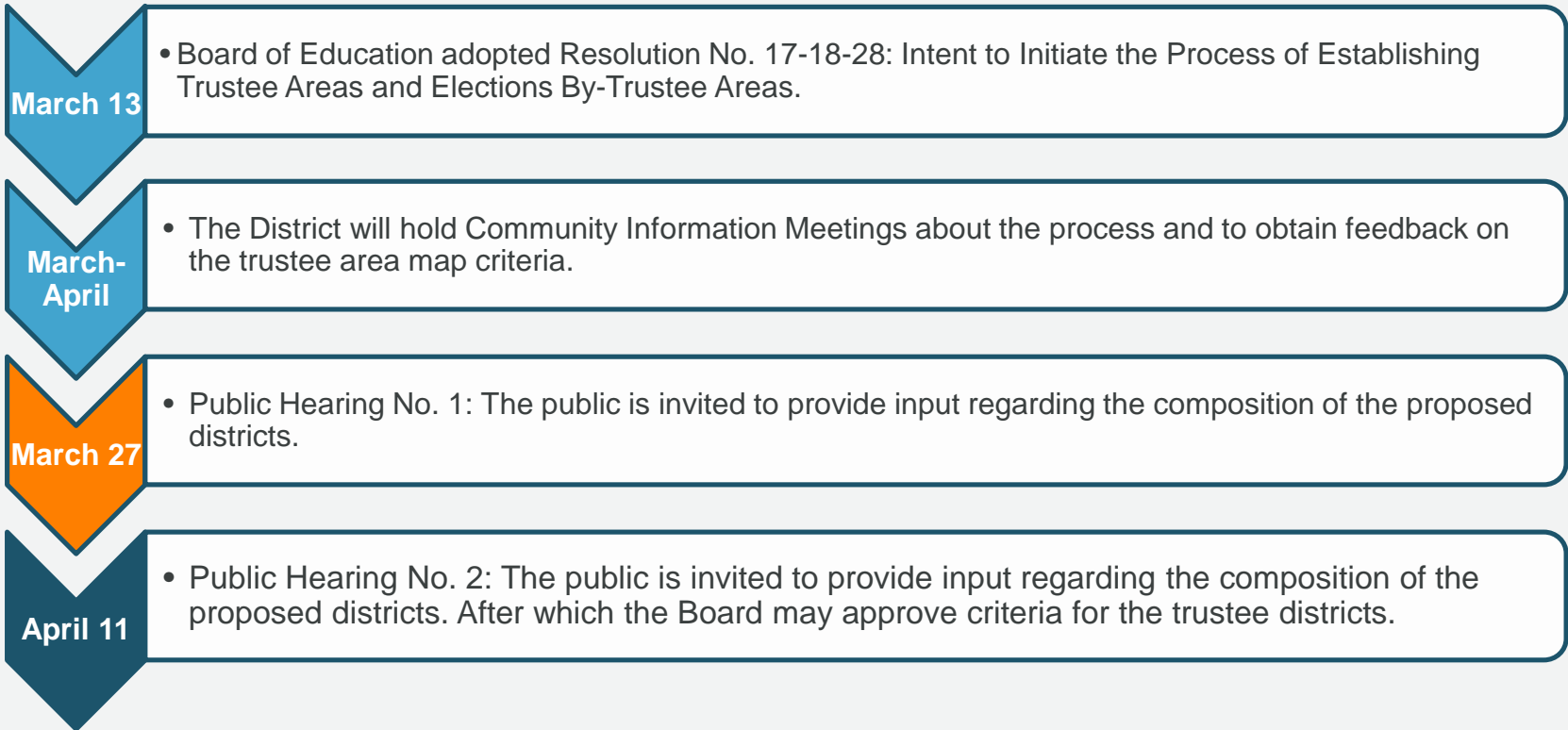


Consideration of Transitioning From At-Large to By-Trustee Area Elections

- The Process:
 - If a By-Trustee Area Election method is adopted, there is no immediate impact on the term of any current member of the District's Governing Board. (Education Code section 5021).
 - Instead, all future elections would occur in the trustee areas in which the Board members whose terms are expiring currently reside or as stated in the adopted sequencing of elections.



Next Steps





Next Steps, Continued

Mid-April

- Proposed trustee map(s) and potential sequence of elections is prepared for public review.

May 8

- Public Hearing No. 3: The public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable.

May 29

- Public Hearing No. 4: The public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable.
Public Hearing No. 5: The Board may adopt a map and sequence of elections for approval by the Orange County Committee on School District Organization.

June

- The Orange County Committee on School District Organization would conduct a public hearing within IUSD boundaries to consider approval of the proposed trustee area map and sequence of elections.

Questions?

